

United States District Court

Eastern District of California

Willie Bailey, III,

Plaintiff,

No. Civ. S 04-2067 GEB PAN P

vs.

Order

J. Wedell, et al.,

Defendants.

-oOo-

June 16, 2005, plaintiff submitted an amended complaint naming defendants different from those named in his original pleading. July 11, 2005, plaintiff submitted materials for service of defendants named in his original pleading. The court requires clarification regarding plaintiff's intentions before proceeding with service.

Within 10 days, plaintiff shall notify the court if he intends for this action to proceed on his amended complaint. If plaintiff does not so notify the court, it will proceed with

1 serving his original complaint and deem the June 16, 2005,
2 amended complaint withdrawn.

3 So ordered.

4 Dated: July 19, 2005.

5 /s/ Peter A. Nowinski

6 PETER A. NOWINSKI
7 Magistrate Judge

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